

**Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
September 17, 1997  
9:00 a.m.**

**Closed Session:** Yes

**Called To Order:** Meeting was called to order at 9:24 am.

**Opening Ceremony:** Opening ceremony was conducted by Doris Adams

**Council Present:** George Anthony, Janet Shomin, Shirley Oldman, Barry Laughlin, Frank Ettawageshik, Alice Yellowbank, Patti Dyer-Deckrow

**Council Absent:**

**Staff Present:** Susan Keller, Bruce Hinmon

**Guests Present:** See attached list.

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**Swearing In:** The newly elected Tribal Council members, Rita Shananequet, Michelle Chingwa, and Alice Yellowbank, were sworn in by Bruce Hinmon, Tribal Court Administrator.

**Reorganization of Council:** Much discussion was held regarding the reorganization of Council. Comments were taken around the Council table and from the guests of the meeting. The Constitution was reviewed and it was determined that there needs to be a reorganization of Council following each and every election.

It was decided a vote would be taken by secret ballot for the officer positions of Tribal Council.

**Vice Chairperson**

George Anthony nominated Shirley Oldman as Vice Chairperson and Michelle Chingwa supported the nomination.

Alice Yellowbank nominated Rita Shananequet as Vice Chairperson and Barry Laughlin supported the nomination.

The Election Board members, Angie Woodin and Carol McFall counted the secret ballots for the position of Vice Chairperson. It was determined by this vote that Shirley Oldman retained the position as Vice Chairperson.

**Secretary**

Rita Shananequet nominated Barry Laughlin as Secretary and Michelle Chingwa supported the nomination. Shirley Oldman nominated Rita Shananequet as Secretary, Rita Shananequet declined the nomination. Barry Laughlin, by acclamation, retained the position as Secretary.

**Treasurer**

Michelle Chingwa nominated Alice Yellowbank as Treasurer and George Anthony supported the nomination. Shirley Oldman nominated Rita Shananequet as Treasurer and Barry Laughlin supported the nomination. Alice Yellowbank declined the nomination as Treasurer.

Rita Shananequet, by acclamation, entered the seat of Treasurer.

**AGENDA:**

The agenda was modified.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Shirley Oldman** to approve agenda as modified.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Retiring Treasurer Report**

A verbal report was given by Janet Shomin, retiring Tribal Council Treasurer. She provided Council a verbal overview of her work during the past three weeks. She will provide Council with a written report of her work while she assisted in the Accounting office.

A discussion was held regarding Janet Shomin orientating Rita Shananequet into the position of the Tribal Council Treasurer.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to authorize travel and expenses for up to five days for Janet Shomin to assist in orienting Rita Shananequet into the position as Tribal Council Treasurer with funds to come from Tribal Council Training.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Comments:** Janet Shomin stated that LTBB should be ready for an audit by the end of 1997.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to accept the verbal report of the retired Tribal Council Treasurer.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **Housing**

Gerald Chingwa explained to Council that the Odawa Housing Council Native American Housing Assistance and Self Determination Act replaces the 1937 Indian Housing Act. The new act states there is a need for Tribally Housing Entity. To receive the money we have been awarded. The Odawa Housing Council needs to sign a contract Tribally Designated Housing Entity needs to be established by resolution to receive and act as that body for the Housing Program. Jim Bransky was asked to review the resolution that has been prepared for this. The Housing Council would like the Tribal Council for \$1500.00 to come Development in the form of a loan in order to pay it back when Housing money comes in.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Alice Yellowbank** to transfer \$1500.00 from the Development Account in the form of a loan to the Odawa Housing Council for meeting expenses.

**Vote:** 7 YES      0 NO      0 ABSTAINED      **Motion Carried**

There will be a planning committee meeting conducted on September 18, 1997. There is not any money available for the people on the travel for these people.

**Recess:** A recess was called at 12:04 p.m. Meeting was called back to order at 1:24 p.m.

**Council Departs:** Michelle Chingwa departed at 12:35 p.m.

During the break the Program Development Plaque Presentation was concluded. There was a luncheon served.

### **Tribal Housing Designated Entity - Resolution #09179701**

Jim Bransky read the resolution for the Tribal Housing Designated Entity #09149701 aloud to Tribal Council. There was much discussion held regarding the Housing Council and the Tribal Housing Designated Entity. The regulations are due to change in October and the structure of the Housing Council will have to be revisited.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Alice Yellowbank** to adopt **Resolution #09149701** to appoint the Odawa Housing Council as the Tribal Housing Designated Entity for up to one year.

**Vote:** 5 YES      1 (Rita Shananequet) NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to accept the verbal and written Housing Report.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

### **BILLS:**

There were no bills presented at today's meeting.

1  
2 **MINUTES/PHONE POLLS:**  
3

4 The Odawa Trails newsletter phone poll was reviewed.  
5

6 **Motion** was made by **Barry Laughlin** and was **Seconded** by **Shirley Oldman** to approved the newsletter phone  
7 poll.

8 **Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**  
9

10 **Motion** was made by **Barry Laughlin** and was **Seconded** by **Shirley Oldman** to approve the phone poll  
11 authorizing Alice Yellowbank to attend gaming meeting.

12 **Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**  
13

14 **September 17, 1997 Tribal Council Meeting Minutes**  
15

16 The meeting minutes were reviewed and corrected.  
17

18 **Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to approve minutes as  
19 amended.

20 **Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**  
21

22 Shirley Oldman stated that she does not approve of Council minutes being reviewed by the staff prior to them  
23 being approved by Tribal Council. She also questioned if items that were approved by Council are in effect at  
24 that time, or do the minutes have to be approved before action on that item can take place.  
25

26 **Public Comment:** Public comment period opened at 2:53 p.m. Shirley Oldman stated she thinks the Andrew J.  
27 Blackbird Museum did a good job on the Pow Wow and that the Election Board did a good job on today's events.  
28 Marilyn Williams stated Shirley Oldman did a very good job chairing the LTBB Pow Wow. Barry stated he  
29 received a call from "Big Marie" who had concerns regarding the Interim Constitution and why this board is not  
30 sending out monthly reports or why are minutes do not appear in the newsletter as other tribes do. Barry also read  
31 a public comment from Chis Shomin. See attached. Barry also stated he thought Andrew J. Blackbird Pow Wow  
32 was a success. George Anthony does not agree with Chris Shomin's statement insinuating this Tribal Council  
33 said things about Janet Shomin, when in reality it was probably one individual.

34 **Public Comment:** Public comment closed at 3:03 p.m.  
35

36 **Tribal Chairman's Report**  
37

38 Chairman Ettawageshik gave a verbal overview of his written report. He spoke briefly about the riders on the  
39 appropriations bill introduced by Senator Gordon. The Indirect Cost Rate proposal was discussed. We have  
40 received an indirect rate of 65% at an extended rate. Chairman Ettawageshik has met with NIGC. LTBB has  
41 questioned grandfathering in for card games as class II as the other tribes in the state are. Still has a pending  
42 request for a meeting with the Secretary of the Interior. Chairman Ettawageshik will need to return back to  
43 Washington at the end of this week for more meetings. Gave a verbal report on the meeting at Grand Traverse  
44 Band with Congressman Kildee. Chairman Ettawageshik stated that there was a request from a coach in Petoskey  
45 to recognize a football player once a week. There are no Native Americans on the football team, and they want to  
46 use a photo and a captain that states "The Ultimate Warrior". Council's consensus was that they could not  
47 endorse using this image. Connie Marshall will be contacted and informed that we are not supportive of this  
48 particular format but are open to opportunities to work with the school system. Students should be consulted.  
49

50 Discussion was held regarding the health building and the assessment that has been done. The bank has agreed to  
51 loan us the money at 6.8%. This would be a lease/hold mortgage. This is the same way we are buying 915  
52 Emmet Street.  
53

Meeting with Central Dispatch was attended by Phil Ludos, Michael McCreery, and Jim Bransky. They met with the Tech Committee of the 911. Met on the issues of using central dispatch, and jurisdiction issues. They were assured that within Indian Country we had jurisdiction. Also talked about an agreement for detention.

**Motion** was made by **George Anthony** and was **Seconded** by **Shirley Oldman** to accept the Tribal Chairman's verbal and written report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

Have four officers sign checks and two staff people in case of emergency, with each check bearing at least one Tribal Council's signature.

#### **Attorney**

Check signers were discussed and whether or not Marcia Sutton should not remain as a check signer.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **George Anthony** in support of **Resolution #091709701** check signing authority.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

Amendments to Gaming Ordinance. Gaming Regulatory Ordinance. Jim Bransky handed out copies of the technical amendments to the gaming ordinance.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to add the amendments to the Gaming Administration Ordinance and Gaming Regulatory to the Legislative Calendar.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to add the amendments to the Gaming Administration Ordinance and Gaming Regulatory to the Legislative Calendar.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **ALICE YELLOWBANK** to bring up for immediate action the technical amendments presented for the Gaming Administration Ordinance.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

The Gaming Administration Ordinance was amended by Council.

**Recess:** Recess was called at 4:30 p.m. Meeting was called back to order at 4:41 p.m.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **George Anthony** for immediate consideration of the Regulatory Ordinance amendment.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Alice Yellowbank** and was **Seconded** by **Shirley Oldman** to add surveillance to the Gaming Regulatory Ordinance.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

#### **1997019 - Gaming Regulatory Ordinance Amendment**

#### **Tribal Administrator's Report**

Gave an overview of what action items were listed in her report. Looking for endorsement of the forms that reflect the policy adopted by Council.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Rita Shananaquet** to approve the Repayment Policy for Travel Advance Forms and the Promissary Note Form.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Blackbird Museum Report**

Dora Willis handed translation of verbiage that will go on the marker for the Blackbird Museum. A resolution will be needed. Council marked-up the marker for the A.J. Blackbird Museum.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to approve a Resolution 09149703 to support the grant application to the Petoskey- Harbor Springs Community Foundation for the Blackbird Museum Historical Marker.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Publications of Letters to the Editors:**

The Communications Assistant is requesting permission to publish letters to the editor for the Odawa Trails Newsletter. A discussion ensued regarding letters to the editors

**Motion** was made by **George Anthony** and was **Seconded** by **Shirley Oldman** to not allow letters to the editor to be in the Odawa Trails Newsletter until a policy is written and adopted regarding letters to the editor.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

It was determined by Council that minutes would not be mailed by the executive assistant but that it would be done by calling the receptionist. This will appear in the October newsletter.

A discussion was held regarding the Grandmother's Wisdom Grant. It was tabled until the information the Tribal Administrator takes a look at the information she requested.

Hiring procedures that work for Law Enforcement to have a currently eligibility list that we can keep on hand for positions in Law Enforcement. Applicants will have gone through the initial review process. This would have a six month shelf life.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to approve the modification of the LTBB Hiring Policy for the Law Enforcement Department.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Enrollment**

The Tribal Administrator gave a verbal report on the transitions of staff due to staff vacancies. Julie Skippergosh will be filling in for 20 hours until Teresa Keshick, who has taken the Enrollment Officer's position, feels comfortable in this new position.

**Motion** was made by **Rita Shananaquet** and was **Seconded** by **Barry Laughlin** change in position description of the Enrollment Clerk to Administrative Assistant from Secretary Level I to Secretary Level III.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Job Classifications:**

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to approve job descriptions of Secretary Level 1, 2, 3.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

Discussion was held regarding the LTBB Tribal Flags. Barry Laughlin feels that the flag should fly at all time. Shirley Oldman feels that it is disrespectful to the flags and that we as a people need to show that respect. If

people want to display their flags in another way, we do not have to. She feels they should be brought in at night. Chairman Ettawageshik stated that we need to speak to the veterans, women's circle, and others as to what is the proper way to handle the Tribal flags.

### **Tribal Council Business Cards**

Tribal Council business cards will be ordered for each member. There will be a single card for each individual. There will then be a card that carries the entire Tribal Council.

The Substance Abuse Counselor position has not been filled. There was discussion held regarding the Substance Abuse Director position. The position for Substance Abuse Counselor position had been closed for in house posting. She did submit her name for an interview but consequently was not available for an interview. Two people have been interviewed for the Substance Abuse Director position. This will be determined Tuesday, September 16<sup>th</sup>, 1997.

The Health Director gave clarification to the Grandmother's Wisdom Grant. Council questioned the pay level and that this position for an MSW does not fit the wage grid anywhere. It was determined that at the July 13, 1997 Tribal Council meeting Arlene Naganashe received approval by Council for the wage levels of Counselor positions.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to approve the verbal and written Tribal Administrator's verbal and written report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to approve the written Office Manager's report.

**Vote:** 5 YES                      0 NO                      1 (Rita Shananaquet) ABSTAINED                      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to approve the written Accounting report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Health**

A discussion was held regarding the revised dental agreement. Council posed questions regarding this revised dental agreement. The Health Director also gave an overview of her written report that she presented to Council at this meeting. This report included a denture agreement with Dr.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** to approve the denture lab agreement.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **Shirley Oldman** and was **Seconded** by **George Anthony** to approve the written Health Director's report.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

The Health brochure was reviewed.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Barry Laughlin** to accept the Medicine Place Brochure and the Contract Health Program Brochure.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Recess:** Recess was called at 7:49 p.m. Meeting was called back to order at 8:00 p.m.

### **Human Services Report**

The USDA Food Program truck was discussed regarding repair of this vehicle. The Human Services Director is looking for additional funds to assist in the repair of this vehicle. A suggestion was made that we go through Inter-Tribal Council for this service in the future.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Alice Yellowbank** for \$2,030.00 to come from Development for maintenance on the truck.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

A discussion was held regarding taking Indirect Cost out from the allotted funds, however the program needs to remain in the funding base in relation to Indirect Cost. We can agree to not take any indirect out of the Commodity Food Program. For a variety of different reasons we are in an indirect crunch. The tailgate program was again discussed with Inter-Tribal Council. The Human Services Director gave an overview to Council of what would be needed if we did a tailgate commodity food program. A check will be made on it the truck then becomes property of the Tribe or USDA. No action was taken regarding securing indirect being withheld for this program.

#### **USDA Contract/Cindy Swope**

This contract can be approved by the Tribal Administrator after review. Does not have to come to Tribal Council for review.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **Alice Yellowbank** to approve the written Human Services report.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to approve the written Substance Abuse report.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Shirley Oldman** and was **Seconded** by **George Anthony** to approve the written reports of Enrollment, Planner, Education, Law Enforcement, Archives and Records Management, Communications.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Motion** was made by **Barry Laughlin** and was **Seconded** by **Alice Yellowbank** in support of **Resolution #09149704** to join the National Fish & Wildlife Service for up to three years.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

Anthony Hudson was reported to be here today to present a report. He did not show up to present this report. Fishing is going well. No outside activity on this.

Julie Skippergosh should work with Jim Bransky to work on proposed changes to the Election Ordinance, Section 14.

**Motion** was made by **Shirley Oldman** and was **Seconded** by **George Anthony** to table the Draft Constitution review.

**Vote:** 6 YES      0 NO      0 ABSTAINED      **Motion Carried**

**Comments:** Council determined that the draft constitution will be reviewed at every meeting from 9:00 a.m. until 12:00 Noon until it is completed.

Council will review

#### **Review of Compensation and Stipend**

Today's agenda was unreal. Propose that stipend be paid at \$10.00 per hour for every hour after 5:00 p.m. that Council stays along with the \$100.00 for the meeting stipend.

Dora Willis stated that Council could set a meeting established time to adjourn at a certain time. The staff reports being done in a synopsis in the Tribal Administrator's report was a suggestion to cut down on time.

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to increase the Tribal Council stipend to \$150.00 per meeting the stipends and mileage coming from Indirect funds for administrative meetings and the stipends and mileage coming from Development for Legislative meetings.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

### **Tribal Council Training**

We will attempt to have information in the next packet for Council review Tribal Council Training.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to table the Tribal Council Training item.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to table all Committee Reports.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Tribal Administrator:** The Tribal Administrator departed at 9:09 p.m.

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to adopt the Technical amendment to the Gaming Administration Ordinance, 1997020.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Public Comment:** Public comment opened at 9:10 p.m. There was no public comment issued.

**Public Comment:** Public comment closed at 9:10 p.m.

**Council Departs:** Shirley Oldman departed at 9:10 p.m.

**Motion** was made by **George Anthony** and was **Seconded** by **Barry Laughlin** to go into closed session at 9:11 p.m. to discuss legal issues relative to gaming.

**Vote:** 6 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**Open Session:** Open session resumed at 9:50 p.m.

**Motion** was made by **George Anthony** and was **Seconded** by **Alice Yellowbank** to participate in the rally on October 7<sup>th</sup>, 1997 in Lansing.

**Vote:** 5 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

Chairman Ettawageshik entered Patti Dyer-Deckrow statement into the minutes.

**Motion** was made by **Barry Laughlin** and was **Seconded** by **George Anthony** to adjourn the Tribal Council meeting at 9:58 p.m.

**Vote:** 5 YES                      0 NO                      0 ABSTAINED                      **Motion Carried**

**These minutes have been read and approved as written:**

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**Barry Laughlin, Tribal Council Secretary**

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**Date**